

164.131 Board of Trustees of University of Kentucky -- Membership -- Terms -- Grounds for removal and replacement of all board members.

- (1)
 - (a) The government of the University of Kentucky is vested in a board of trustees appointed for a term set by law pursuant to Section 23 of the Constitution of Kentucky.
 - (b) All appointed and elected persons shall be required to attend and complete an orientation and education program prescribed by the council under KRS 164.020(25), as a condition of their service and eligibility for appointment or election to a second term.
 - (c) The board shall periodically evaluate the institution's progress in implementing its missions, goals, and objectives to conform to the strategic agenda. Officers and officials shall be held accountable for the status of the institution's progress.
 - (d) Board members may be removed by the Governor under the following circumstances:
 1. For cause, pursuant to KRS 63.080(2); or
 2. Pursuant to KRS 63.080(3) or (4).
 - (e) The board shall consist of sixteen (16) members appointed by the Governor, two (2) members of the faculty of the University of Kentucky, one (1) member of the University of Kentucky nonteaching personnel, and one (1) member of the student body of the University of Kentucky. The members appointed by the Governor shall be subject to confirmation by the Senate. The voting members of the board shall select a chairperson annually.
- (2)
 - (a) The terms of the appointed members shall be for six (6) years and until their successors are appointed and qualified, unless a member is removed by the Governor pursuant to KRS 63.080(2), (3), or (4), except the initial appointments shall be as follows:
 1. Two (2) members shall serve one (1) year terms;
 2. Two (2) members shall serve two (2) year terms, one (1) of whom shall be a graduate of the university, selected from a list of three (3) names submitted by the alumni of the university according to rules established by the board of trustees;
 3. Three (3) members shall serve three (3) year terms;
 4. Three (3) members shall serve four (4) year terms, one (1) of whom shall be a graduate of the university, selected as under subparagraph 2. of this subsection;
 5. Three (3) members shall serve five (5) year terms; and
 6. Three (3) members shall serve six (6) year terms, one (1) of whom shall be a graduate of the university, selected as under subparagraph 2. of this subsection.
 - (b)
 1. Three (3) of the appointments shall be graduates of the university and may include one (1) graduate of the institution who resides outside the Commonwealth;
 2. Three (3) shall be representative of agricultural interests; and

3. Ten (10) shall be other distinguished citizens representative of the learned professions and may include one (1) who resides outside of Kentucky.
 - (c) The Governor shall make the appointments so as to reflect proportional representation of the two (2) leading political parties of the Commonwealth based on the state's voter registration and the political affiliation of each appointee as of December 31 of the year preceding the date of his or her appointment, and to reflect no less than proportional representation of the minority racial composition of the Commonwealth based on the total minority racial population using the most recent census or estimate data from the United States Census Bureau. If the determination of proportional minority representation does not result in a whole number of minority members, it shall be rounded up to the next whole number. A particular political affiliation shall not be a prerequisite to appointment to the board generally; however, if any person is appointed to the board that does not represent either of the two (2) leading political parties of the Commonwealth, the proportional representation by political affiliation requirement shall be determined and satisfied based on the total number of members on the board less any members not affiliated with either of the two (2) leading political parties.
 - (d) Appointments to fill vacancies shall be made for the unexpired term in the same manner as provided for the original appointments.
- (3) The two (2) University of Kentucky faculty members shall be of the rank of assistant professor or above. They shall be elected by secret ballot by all University of Kentucky faculty members of the rank of assistant professor or above. Faculty members shall serve for terms of three (3) years and until their successors are elected and qualified. Faculty members shall be eligible for reelection, but they shall be ineligible to continue to serve as members of the board of trustees if they cease to be members of the faculty of the university. Elections to fill vacancies shall be for the unexpired term in the same manner as provided for original elections.
- (4) The nonteaching personnel member shall be any full-time staff member, excluding the president, vice-presidents, academic deans, and academic department chairpersons. The staff member shall represent all nonteaching university employees, including but not limited to building facilities and clerical personnel. The staff member shall be elected by secret ballot by the nonteaching employees. The staff member shall serve a term of three (3) years and until a successor is elected and qualified. The staff member shall be eligible for reelection, but a staff member who ceases being an employee of the university shall not be eligible to continue to serve as a member of the board. Elections to fill vacancies shall be for the unexpired term and shall be held in the same manner as provided for the original election.
- (5) The student member shall serve a one (1) year term beginning on July 1 after being elected and sworn in as student body president and ending on the following June 30. If the student member does not maintain the position of student body president or the status of a full-time student at any time during that academic year, a special election shall be held to select a full-time student

member. The elected student member shall serve for the remainder of the unexpired term.

- (6) The number of student and employee trustees of the University of Kentucky elected to the board shall not exceed four (4).
- (7) Unless specifically approved by the board of trustees under the provisions of KRS 164.367, no member of the administrative staff of the university shall be directly or indirectly interested in any contract with the university for the sale of property, materials, supplies, equipment, or services, with exception of compensation to the two (2) faculty members, and the one (1) nonteaching personnel member.
- (8) New appointees of the board shall not serve more than two (2) consecutive terms.
- (9) The inability of the board to hold regular meetings, to elect a chairperson annually, to establish a quorum, to adopt an annual budget, to set tuition rates, to conduct an annual evaluation of the president of the university, or to carry out its primary function to periodically evaluate the institution's progress in implementing its mission, goals, and objectives to conform to the strategic agenda shall be cause for the Governor to remove all appointed members of the board and replace the entire appointed membership pursuant to KRS 63.080(4).

Effective: March 21, 2017

History: Amended 2017 Ky. Acts ch. 101, sec. 4, effective March 21, 2017. -- Amended 2016 Ky. Acts ch. 136, sec. 3, effective July 15, 2016. -- Amended 2007 Ky. Acts ch. 113, sec. 2, effective June 26, 2007. -- Amended 2005 Ky. Acts ch. 59, sec. 1, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 251, sec. 1, effective July 15, 1998. -- Amended 1997 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 86, effective May 30, 1997. -- Created 1992 Ky. Acts ch. 10, sec. 4, effective July 1, 1992.